

AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4909
OFFERED BY MR. FORBES OF VIRGINIA

At the end of subtitle G of title X, add the following:

1 **SEC. 1098. RECOVERY OF EXCESS FIREARMS, AMMUNITION,**
2 **AND PARTS GRANTED TO FOREIGN COUN-**
3 **TRIES AND TRANSFER TO CERTAIN PERSONS.**

4 (a) RECOVERY.—Subchapter II of chapter 407 of
5 title 36, United States Code, is amended by inserting after
6 section 40728A the following new section:

7 **“§ 40728B. Recovery of excess firearms, ammunition,**
8 **and parts granted to foreign countries**
9 **and transfer to certain persons**

10 “(a) AUTHORITY TO RECOVER.—(1) Subject to para-
11 graph (2) and subsection (b), the Secretary of the Army
12 may acquire from any person any firearm, ammunition,
13 repair parts, or other supplies described in section
14 40731(a) of this title which were—

15 “(A) provided to any country on a grant basis
16 under the conditions imposed by section 505 of the
17 Foreign Assistance Act of 1961 (22 U.S.C. 2314)
18 that became excess to the needs of such country;
19 and

1 “(B) lawfully acquired by such person.

2 “(2) The Secretary of the Army may not acquire any-
3 thing under paragraph (1) except for transfer to a person
4 in the United States under subsection (c).

5 “(3) The Secretary of the Army may accept firearms,
6 ammunition, repair parts, or other supplies under para-
7 graph (1) notwithstanding section 1342 of title 31.

8 “(b) COST OF RECOVERY.—The Secretary of the
9 Army may not acquire anything under subsection (a) if
10 the United States would incur any cost for such acquisi-
11 tion.

12 “(c) AVAILABILITY FOR TRANSFER.—Any firearms,
13 ammunition, repair parts, or supplies acquired under sub-
14 section (a) shall be available for transfer in the United
15 States to the person from whom acquired if such person—

16 “(1) is licensed as a manufacturer, importer, or
17 dealer pursuant to section 923(a) of title 18; and

18 “(2) uses an ammunition depot of the Army
19 that is an eligible facility for receipt of any firearms,
20 ammunition, repair parts, or supplies under this
21 paragraph.

22 “(d) CONTRACTS.—Notwithstanding subsection (k)
23 of section 2304 of title 10, the Secretary may enter into
24 such contracts or cooperative agreements on a sole source

1 basis pursuant to paragraphs (4) and (5) of subsection
2 (c) of such section to carry out this section.

3 “(e) FIREARM DEFINED.—In this section, the term
4 ‘firearm’ has the meaning given such term in section 921
5 of title 18.”.

6 (b) SALE.—Section 40732 of such title is amended—
7 (1) by adding at the end the following new sub-
8 section:

9 “(d) SALES BY OTHER PERSONS.—A person who re-
10 ceives a firearm or any ammunition, repair parts, or sup-
11 plies under section 40728B(c) of this title may sell, at fair
12 market value, such firearm, ammunition, repair parts, or
13 supplies.”; and

14 (2) in subsection (c), in the heading, by insert-
15 ing “BY THE CORPORATION” after “LIMITATION ON
16 SALES”.

17 (c) CLERICAL AMENDMENT.—The table of sections
18 at the beginning of chapter 407 of such title is amended
19 by inserting after the item relating to section 40728A the
20 following new item:

“40728B. Recovery of excess firearms, ammunition, and parts granted to for-
eign countries and transfer to certain persons.”.

